

**United States Environmental Protection Agency  
Criminal Investigation Division  
Investigative Activity Report**

**Case Number:**

0203-0194

**Case Title:**

Port Imperial Ferry Corp [REDACTED] - CWA)

**Subject of Report:**

2017-01-11 Interview of [REDACTED] telephone

**Reporting Office:**

Edison, NJ, Resident Office

**Activity Date:**

January 11, 2017

**Reporting Official and Date:**

[REDACTED]  
Special Agent

12-JAN-2017, Signed by: [REDACTED]

**Approving Official and Date:**

[REDACTED]  
Special Agent in Charge  
13-JAN-2017, Approved by: [REDACTED]  
Assistant Special Agent in Charge

**SYNOPSIS**

On January 11, 2017, SA [REDACTED] interviewed [REDACTED] via telephone as witnessed by SA [REDACTED].

**DETAILS**

On January 11, 2017, Special Agent (SA) [REDACTED], Environmental Protection Agency (EPA), Criminal Investigation Division (CID), conducted an interview of [REDACTED] ([REDACTED]) via telephone as witnessed by EPA SA [REDACTED]. [REDACTED] was a former employee of NY Waterway. The interview was to expand on information obtained from an earlier interview with [REDACTED] in December 2016. After being advised as to the nature of the interview, the following information was obtained from [REDACTED], in substance:

[REDACTED] had stated [REDACTED] supervisor at NY Waterway was named [REDACTED] ([REDACTED]) and that [REDACTED] had heard [REDACTED] no longer works at NY Waterway because [REDACTED] was fired. SA [REDACTED] asked [REDACTED] if [REDACTED] knew why [REDACTED] was fired? [REDACTED] stated [REDACTED] was fired after [REDACTED] had quit so [REDACTED] did not know the reason [REDACTED] was fired. [REDACTED] had stated that before [REDACTED] finally quit NY Waterway [REDACTED] was threatened at being written up for insubordination. SA [REDACTED] asked [REDACTED] who threatened to write [REDACTED] up and why? [REDACTED] stated [REDACTED] threatened to write [REDACTED] up for complaining all the time. [REDACTED] stated [REDACTED] complained about having to pump out sewage into the river. [REDACTED] stated [REDACTED] also complained about how [REDACTED] was made to fix problems on the boats without the proper gear. [REDACTED] stated after the bilge was pumped out, the area was supposed to be disinfected and aired out for a day before the mechanics worked on anything. [REDACTED] said that Hazmat suits were also supposed to be worn. [REDACTED] stated NY Waterway would not disinfect or air out the area and would only give [REDACTED] cheap gloves to wear as protection.

SA [REDACTED] asked [REDACTED] to explain the relation of Goldman Sachs boats to NY Waterway. [REDACTED] stated that Goldman Sachs has two boats that they let other companies use under contract. [REDACTED] explained that Goldman Sachs puts a bid out to different companies for a contract to provide service for their boats. [REDACTED] stated that NY Waterway won the bid so NY Waterway is being paid to run the Goldman Sachs boats. [REDACTED] stated that they are also responsible for servicing and maintaining the boats.

[REDACTED] had stated that the first time [REDACTED] pumped sewage from one of the boats into the river, a fueler had called [REDACTED] over and shown [REDACTED] how use the portable pump. SA [REDACTED] asked [REDACTED] the name of the fueler. [REDACTED] stated he did not remember which fueler had taught [REDACTED] how to use the portable pump.

[REDACTED] had stated [REDACTED] gave management a hard time about not wanting to pump sewage into the river. SA [REDACTED] asked [REDACTED] who exactly in management [REDACTED] gave a hard time. [REDACTED] stated [REDACTED]. [REDACTED] had stated that management would make other workers pump out the sewage, then the other workers would yell at [REDACTED], blaming [REDACTED] for them having to do it in [REDACTED] place. SA [REDACTED]s asked [REDACTED] who were the other workers? [REDACTED] stated he did not remember. [REDACTED] stated that the portable pump (used for pumping

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sewage from the boats directly into the river) was kept on the floor in the shop, out in the open. SA [REDACTED] asked [REDACTED] where was the shop? [REDACTED] stated the shop was the Navy barge that was floating in the river.

[REDACTED] had told agents that the correct way to handle a broken pump was to call a company and the company would come and pump the sewage out into their truck and haul it off. SA [REDACTED] asked Torres what was the name of the company? [REDACTED] told SA [REDACTED] that NY Waterway never called another company to come out and pump the sewage out. [REDACTED] explained that [REDACTED] was telling agents the proper procedure and what should have been done. [REDACTED] stated [REDACTED] never saw another company come out and pump sewage out for NY Waterway.

[REDACTED] had stated there were three main boats and one catamaran that were pumped out regularly. SA [REDACTED] asked [REDACTED] how often the catamaran was pumped out? [REDACTED] stated the catamaran was pumped out every day. SA [REDACTED] asked if the catamaran was different from the other three boats as far as the frequency of pumping it out. [REDACTED] stated all four boats were pumped out daily. [REDACTED] explained they were four boats and the bathrooms had to work. [REDACTED] stated [REDACTED] remembered the names of two of the three boats that were pumped out daily. [REDACTED] stated one was the Henry Hudson and another one was the Robert Fulton. SA [REDACTED] asked [REDACTED] how long did it take to pump a boat out utilizing the portable pump? [REDACTED] stated the portable pump was "bad ass" and would pump out a boat pretty quickly, within five to ten minutes.

[REDACTED] had stated that [REDACTED] ([REDACTED]) was the Shop Steward and that [REDACTED] had shown the video [REDACTED] had taken to [REDACTED] and [REDACTED] had "raised hell" about it. SA [REDACTED] asked what exactly [REDACTED] had said to management? [REDACTED] stated [REDACTED] was unsure what [REDACTED] said to management but [REDACTED] had told [REDACTED] that everything was taken care of and [REDACTED] did not have to do it anymore (meaning [REDACTED] did not have to pump sewage into the river). SA [REDACTED] asked [REDACTED] did the workers pump out the boats correctly after [REDACTED] spoke to management? [REDACTED] stated at first everyone did then [REDACTED] started putting instructions in the work log stating to use the "electric pump" again. SA [REDACTED] asked [REDACTED] if [REDACTED] specifically said to pump sewage into the river? [REDACTED] stated it was known by the workers that if "electric pump" was written, it meant to use the portable pump and pump the sewage into the river. [REDACTED] stated that there is a work log, that has written instructions on what the mechanics have to do each night. [REDACTED] said [REDACTED] was smart and did not leave a paper trail. [REDACTED] stated the only things agents would find in the log books were notes saying to use the "electric pump." SA [REDACTED] asked [REDACTED] where the work log was kept? [REDACTED] stated they kept the log books in a file cabinet on the Navy barge.

[REDACTED] had stated that [REDACTED] knew about workers pumping sewage into the river because one of the captains complained to [REDACTED]. SA [REDACTED] asked [REDACTED] who was [REDACTED]? [REDACTED] stated [REDACTED] name is [REDACTED] and [REDACTED] is a Port Captain. [REDACTED] did not know whether [REDACTED] still worked at NY Waterway or not.

[REDACTED] had stated that [REDACTED] ([REDACTED]) had told [REDACTED]s not to pump the sewage into the river but then [REDACTED] would tell him to do it. SA [REDACTED] asked [REDACTED] who is [REDACTED]? [REDACTED] stated [REDACTED] is a Shop Steward and that [REDACTED] believes Sisco still works at NY Waterway.

[REDACTED] had stated all mechanics used the restrooms in the Navy barge and that sometimes it would be pumped out into the river. [REDACTED]s had stated [REDACTED] supervisor, [REDACTED], was who instructed [REDACTED] to pump out the restrooms into the river. SA [REDACTED] asked [REDACTED] if [REDACTED] specifically instructed the other mechanics to pump out the restrooms into the river? [REDACTED] stated it was known that whoever gets in first needs to pump out the restrooms if the tank was full. [REDACTED] stated the tank was in the bottom of the barge and if it got full it would flood and get all over their tools.

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█████ had stated NY Waterway did not have oil/water separators, they only have a Rule 1500 pump and it is a cheap pump. SA █████ asked █████ if the Rule 1500 pump was a Coast Guard regulation? █████ stated that it was a Coast Guard regulation to have the Rule 1500 pump in all boats. █████ explained that the compartments on a boat are called voids, and there are voids all over the boat. █████ stated a Rule 1500 had to be in each void. █████ stated the Rule 1500 pump was very small and was just a backup. █████ stated if a boat was actually flooding and taking on a lot of water, the Rule 1500 pump would not be able to save the boat, it does not have enough power.

█████ had stated if there was a fuel spill management would call a company to come in and the company would contain it and clean it up. SA █████ asked █████ if █████ knew the name of the company? █████ stated █████ had no idea what company NY Waterway used to clean up fuel spills. SA █████ asked █████ if NY Waterway reported the fuel spills to the Coast Guard or a hotline? █████ stated █████ did not know and █████ never saw Coast Guard boats around when the spills happened. Agents had asked if █████ remembered seeing a sheen on the river. █████ had stated yes, it was the Hudson and laughed. SA █████ asked █████ again if █████ had seen a sheen on the Hudson River? █████ stated yes █████ saw a sheen on the river, especially around the fueling barge at night when the moon was out.

█████ had stated when █████ first moved to Florida █████ had a video on a Galaxy phone but █████ phone broke and █████ thought everything with NY Waterway had blown over, so █████ ended up throwing the phone away. SA █████ asked █████ what exactly the video showed? █████ stated the video was of █████ and █████ (identified as █████, herein █████) pumping sewage from one of the Goldman Sachs boats into the river. █████ stated the video did not show █████ or █████ on it, just the hose with sewage going from the boat into the river. █████ stated you did not have sit around and watch the portable pump as it worked. █████ stated you just hooked it up and let it pump, then come back a little later.

SA █████ asked specifically about how they used the portable pump. █████ stated the boats were pumped out usually between 9:00 PM and midnight. █████ stated the boats would be facing the shoreline, docked and the hose would be dropped either on the side of the boat or the back, depending on how it was parked. █████ stated the hose was dark colored and when it was discharging it would be hanging off the boat. █████ stated it usually wasn't submerged because at that time of night no one was around to see it. █████ said it would be hanging off spewing brown/yellowish water that smelled really bad into the river like a faucet.

SA █████ asked █████ where the hoses were kept, on the boat or in the shop? █████ stated that the hose would be left connected to the portable pump so it was ready to go. █████ stated it was kept in the shop (Navy barge) on the floor.

At approximately 10:12 AM the interview was concluded and █████ was told that if had any questions to contact SA █████.